United States District Court

NORTHERN DISTRICT OF CALIFORNIA

Bikash Mohan Mohanty, Individually and on Behalf of All Others Similarly Situated,

SUMMONS IN A CIVIL CASE

CASE NUMBER: C 07-5101 SBA

V.

See Attachment A

TO: (Name and address of defendant)

See Attachment B

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Reed R. Kathrein (139304)
HAGENS BERMAN SOBOL SHAPIRO LLP
715 Hearst Avenue, Suite 202
Berkeley, CA 94710
Telephone: (510) 725-3000
Faccinile: (510) 725-3001

Facsimile: (510) 725-3001 reed@hbsslaw.com

an answer to the complaint which is herewith served upon you, within days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

BY DEPUTY CLERKE MAGICAN

OCT 162007

DATE___

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE						
Service	ce of the Summons and Complaint was made by me ¹	DATE				
	of SERVER	TITLE				
Ch	Check one box below to indicate appropriate method of service					
	Served Personally upon the Defendant. Place where served:					
	Left copies thereof at the defendant's dwelling house or usual discretion then residing therein. Name of person with whom the summons and complaint were					
	Returned unexecuted:					
	Other (specify):					
TRAVEL	STATEMENT OF SERVICES SERVICES	E FEES TOTAL				
		·				
DECLARATION OF SERVER						
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.						
Execut	uted on	nature of Server				
	Addi	ress of Server				
(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure						

ATTACHMENT A TO SUMMONS

DEFENDANTS:

- 1. Amir Bassan-Eskenazi
- 2. Ran Oz
- 3. Frederick Ball
- 4. Gal Israely
- 5. Dean Gilbert
- 6. Ken Goldman
- 7. Lloyd Carney
- 8. Bruce Sachs
- 9. Robert Sachs
- 10. Goeffrey Yang
- 11. Morgan Stanley & Co., Inc.
- 12. Merrill Lynch, Pierce, Fenner & Smith Inc.
- 13. Jefferies & Co., Inc.
- 14. Cowen & Co., Înc.
- 15. Thinkequity Partners, LLC
- 16. BigBand Networks, Inc.

ATTACHMENT B TO SUMMONS

DEFENDANT NAMES AND ADDRESSES

- Amir Bassan-Eskenazi c/o Rod Strickland Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, CA 94304
- Ran Oz
 c/o Rod Strickland
 Wilson Sonsini Goodrich & Rosati
 650 Page Mill Road
 Palo Alto, CA 94304
- Frederick Ball
 c/o Rod Strickland
 Wilson Sonsini Goodrich & Rosati
 650 Page Mill Road
 Palo Alto, CA 94304
- Gal Israely
 c/o Rod Strickland
 Wilson Sonsini Goodrich & Rosati
 650 Page Mill Road
 Palo Alto, CA 94304
- Dean Gilbert
 c/o Rod Strickland
 Wilson Sonsini Goodrich & Rosati
 650 Page Mill Road
 Palo Alto, CA 94304
- Ken Goldman c/o Rod Strickland Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, CA 94304
- Lloyd Carney c/o Rod Strickland Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, CA 94304
- 8. Bruce Sachs

80 1 to .

ATTACHMENT B TO SUMMONS

c/o Rod Strickland Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, CA 94304

- Robert Sachs
 c/o Rod Strickland
 Wilson Sonsini Goodrich & Rosati
 650 Page Mill Road
 Palo Alto, CA 94304
- Goeffrey Yang
 c/o Rod Strickland
 Wilson Sonsini Goodrich & Rosati
 650 Page Mill Road
 Palo Alto, CA 94304
- 11. Morgan Stanley & Co., Inc.CT Corporation System818 West Seventh StreetLos Angeles, CA 90017
- 12. Merrill Lynch, Pierce, Fenner & Smith Inc.CT Corporation System818 West Seventh StreetLos Angeles, CA 90017
- 13. Jefferies & Co., Inc. CT Corporation System 818 West Seventh Street Los Angeles, CA 90017
- 14. Cowen & Co., Inc.CT Corporation System818 West Seventh StreetLos Angeles, CA 90017
- 15. Thinkequity Partners, LLCNational Registered Agents, Inc.160 Greentree Drive, Suite 101Dover, DE 19904
- 16. BigBand Networks, Inc.c/o Matthew Fricke913 Willow Street, Suite 205San Jose, CA 95125

Case 4:07-c	V-05101-5BA	Documen	ונו ד	11ed 11/02/20	107 Page 6 01 8	
Attorney Or Party Without Attorney (Name and Address)			Telephone:	FOR COURT USE ONLY	
REED A. KATHREIN, ESQ.	(133034)		(51	0) 725-3034		
HAGENS BERMAN SOBOL	SHAPIRO LLP		•	•		
715 Hearst Ave., Suite 2	202					
Berkeley, CA 94710				Ref. No. Or File No.		
Attorneys for: PLAINITES				W248571	5	
Insert name of court, judicial district and branch court, if	any:					
UNITED STATES DISTRICT	Γ COURT					
NORTHERN DISTRICT OF (CALIFORNIA					
Plaintiff:						
BIKASH MOHAN MOHANT	(
Defendant:						
AMIR BASSAN-ESKENZAL						
AMIN DASSAN-ESKENZAI						
	Date:	Time:	Dept/Div:		Case Number:	
PROOF OF SERVICE					C 07-5101 SBA	
1	1					

I, Ontry Patten, Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, a Citizen of the United States, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS; CLASS ACTION COMPLAINT FOR VIOLATION OF SECURITIES LAW; CIVIL COVER SHEET; ECF REGISTRATION INFORMATION HANDOUT; ORDER SETTING INITIAL CASE MANAGEMENT AND ADR DEADLINSE; JUDGE ARMSTRONG'S STANDING ORDERS; STANDING ORDERS FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA; CONTENTS OF CMS; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; LOCAL GUIDE TO COURT OFFICES - OAKLAND FEDERAL BUILDING

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Defendant

: THINKEQUITY PARTNERS, LLC

By Serving

: DEBBIE SEALUND, Authorized Agent of NATIONAL REGISTERED AGENTS, INC.,

Agent for Service of Process

Address

: 160 Greentree Drive, Suite 101, Dover, DE 19904

Date & Time

: Friday, October 19, 2007 @ 3:45 p.m.

Witness fees were

: Not applicable.

Person serving:

Ontry Patten

Wheels of Justice, Inc. 657 Mission Street, Suite 502

San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.:

(3) County:

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing

is true and correct.

Date: October 22, 2007

Signature

Ontry Patten



Case 4:07-cv-	-05101-SBA	Document	7 Filed 11/02	/2007	Page 7 of 8
Attorney Or Party Without Attorney (Name and Address)	Telephone:			FOR COURT USE ONLY	
REED A. KATHREIN, ESQ. ((510) 725-3034				
HAGENS BERMAN SOBOL	SHAPIRO LLP				
715 Hearst Ave., Suite 2	02				
Berkeley, CA 94710		Ref. No. Or File No.			
Attorneys for: PLAINITFFS			W248	5713	
Insert name of court, judicial district and branch court, if a	iny:				
UNITED STATES DISTRICT NORTHERN DISTRICT OF C					
Plaintiff:					
BIKASH MOHAN MOHANTY	•				
Defendant:	***************************************				
AMIR BASSAN-ESKENZAI					
PROOF OF SERVICE	Date:	Time:	Dept/Div:	Case No	C 07-5101 SBA

I, B. Anderson, Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, a Citizen of the United States, over the age of eighteen, and not a party to the within action;

Served the: Summons; class action complaint for violation of securities law; civil cover sheet; ecf registration information handout; order setting initial case management and adr deadlinse; judge armstrong's standing orders; standing orders for all judges of the northern district of california; contents of cms; notice of availability of magistrate judge to exercise jurisdiction; local guide to court offices - oakland federal building

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Plaintiff

: MORGAN STANLEY & CO, INC.

By Serving

: MARGARET WILSON, Authorized Agent of CT Corporation System, Agent for Service of

Process

Address

: 818 West 7th Street , Los Angeles, California 90017

Date & Time

: Thursday, October 18, 2007 @ 3:10 p.m.

Witness fees were

: Not applicable.

Person serving:

B. Anderson

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 3991

(3) County: Los Angeles

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: October 19, 2007

Signature:_

B. Andersor



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Attorney Or Party Without Attorney (Name and Address))			Telephone:	FOR COURT USE ONLY	
REED A. KATHREIN, ESQ.	(133034)		(51	0) 725-3034		
HAGENS BERMAN SOBOL	•					
715 Hearst Ave., Suite 2	202					
Berkeley, CA 94710				Ref. No. Or File No.	_	
Attorneys for: PLAINITFFS				W2485713		
Insert name of court, judicial district and branch court, if	any:					
UNITED STATES DISTRICT	Γ COURT					
NORTHERN DISTRICT OF (CALIFORNIA					
Plaintiff:						
BIKASH MOHAN MOHANT)	(
Defendant:		-				
AMIR BASSAN-ESKENZAI						
	Date:	Time:	Dept/Div:	Ci	ase Number: C 07-5101 SBA	_
PROOF OF SERVICE					C 07-3101 3BA	

I, B. Anderson, Under penalty of perjury, hereby declare that I am and was on the dates herein mentioned, a Citizen of the United States, over the age of eighteen, and not a party to the within action;

I served the: SUMMONS; CLASS ACTION COMPLAINT FOR VIOLATION OF SECURITIES LAW; CIVIL COVER SHEET; ECF REGISTRATION INFORMATION HANDOUT; ORDER SETTING INITIAL CASE MANAGEMENT AND ADR DEADLINSE; JUDGE ARMSTRONG'S STANDING ORDERS; STANDING ORDERS FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA; CONTENTS OF CMS; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION; LOCAL GUIDE TO COURT OFFICES - OAKLAND FEDERAL BUILDING

in this action by personally delivering to and leaving with the following defendant or person on the date set opposite their respective names, a true copy thereof:

Plaintiff

: MERRILL LYNCH PIERCE FENNER & SMITH, INC.

By Serving

: MARGARET WILSON, Authorized Agent of CT Corporation System, Agent for Service of

Process

Address

: 818 West 7th Street , Los Angeles, California 90017

Date & Time

: Thursday, October 18, 2007 @ 3:10 p.m.

Witness fees were

: Not applicable.

Person serving:

B. Anderson

Wheels of Justice, Inc. 657 Mission Street, Suite 502 San Francisco, California 94105

Phone: (415) 546-6000

a. Fee for service:

d. Registered California Process Server

(1) Employee or independent contractor

(2) Registration No.: 3991

(3) County: Los Angeles

(4) Expires:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: October 19, 2007

Signature:

/Andersor

